

Customer No.:31561
Application No: 10/604,393
Docket NO.:10026-US-PA

REMARKS

Present Status of the Application

The Office Action rejected all presently-pending claims 1-8 and 10. Specifically, in the Office Action, claim 10 is rejected under 35 U.S.C. §112 as being indefinite. In addition, claims 1, 2, 4, 6-7 are rejected under 35 USC §102 as being anticipated by Kambe (US Patent No. 5,938,979), and claims 1,2, 4, 6 are rejected under 35 USC §102 as being anticipated by Allen (US Patent No.6,410,847) or Gabower (US Patent No. 6,570,085). Moreover, claims 1-7 and 10 is rejected under 35 USC §103(a) as being unpatentable over Kambe (US Patent No. 5,938,979) in view of Allen (US Patent No.6,410,847) and Gabower (US Patent No. 6,570,085).

In addition, claim 8 is allowable if incorporated into its independent claim. Reconsideration and allowance of those claims is respectfully requested.

Discussion of the Rejections of the Office Action

In response thereto, first of all, Applicants would like to gratefully thank the Examiner for the allowance of claim 8.

In addition, claim 8 is incorporated into claim 1, therefore the amended claim 1 is allowable. In addition, claims 2-7 and claim 10 are also allowable as a matter of law since they are dependent on the amended claim 1.

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Response to Objection of Specification and Claims Rejections under 35 USC § 112

First of all, the typographical errors in the specification are amended.

In addition, the reference number 312 and 411 are added to the corresponding subject matter in the specification.

Furthermore, the “far infrared ceramic” in claim 10 is amended to “far-infrared ceramic.” In addition, a brief remark of “far-infrared ceramic” is described hereinafter.

The far-infrared ceramic is a kind of ceramic material that can emit far-infrared ray. In general, the infrared ray may be classified into near-infrared ray, middle-infrared ray and far-infrared ray, wherein the far-infrared ray has a wavelength range of about 4μm to about 144μm. In the present application, the far-infrared ceramic may be adopted for absorbing electromagnetic wave and transferring the electromagnetic wave into, for example, far-infrared ray.

It is believed that the foregoing amendments add no new matter to the present application. Applicants believe that these amendments place the claims in condition for allowance. Reconsideration and allowance of the application and presently pending claims are respectfully requested.

Response to Claims Rejections under 35 USC § 102 and 35 USC § 103

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A continuing application will be filed for the original claims 1-7 and 10 of the present application, which Applicants believe they already define over the existing prior art. The reasons that motivate the above position of the Applicant are discussed in detail hereafter,

Claims 1, 2, 4, 6-7 are rejected under 35 USC §102(b) as being anticipated by Kambe. In addition, claims 1,2, 4, 6 are rejected under 35 USC §102(b) as being anticipated by Allen. Moreover, claims 1,2, 4, 6 are rejected under 35 USC §102(e) as being anticipated by or Gabower.

In addition, Claims 1-7 and 10 are rejected under 35 USC §103(a) as being unpatentable over Kambe in view of Allen and Gabower.

For a proper rejection of a claim under 35 U.S.C. section 102, the cited reference must disclose all elements/features/steps of the claim.

For a proper rejection of a claim under 35 U.S.C. section 103, the cited combination of references must disclose, teach or suggest all elements/features/steps of the claim.

The original independent claim 1 states:

Claim 1. A multilayer film structure for absorbing electromagnetic wave, comprising: a plurality of polymer films having a multi-film stacking structure, wherein the polymer films are composed of a carbon group compound structure; and a plurality of permeability films formed on each surface of the polymer films.
(Emphasis Added)

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Independent claim 1 is allowable for at least that Kambe, Allen or Gabower does not disclose, teach or suggest the feature “multi-film stacking structure” and “permeability films” as highlighted above.

Referring to paragraph [0026] of the specification of the application, it is disclosed that:

“Therefore, when electromagnetic waves 106a, 106b, 106c and 106d are emitted, the direction of induced magnetic moment of a permeability film 104 above a polymer film 100 is opposite to that of another permeability film 104 below the same polymer film 100. Thus, every neighboring permeability films 104 will have magnetic moments in opposite direction. Finally, except for the reflected electromagnetic wave 106a, all the other emitted electromagnetic waves will be cancelled by the permeability films 104, or be reflected in any one of the polymer films 100 until the energies of the electromagnetic waves are consumed, or be absorbed by the carbon group compound structure 102 and be transferred into thermal energy.”

It should be noted that, as the description highlighted above, the “multi-film stacking structure” of claim 1 has unexpected results compared to the “single layer structure” disclosed in Kambe, Allen or Gabower.

(1) The feature that

**“every neighboring permeability films 104 will have magnetic moments in opposite direction”
disclosed above can not be achieved in the “single layer structure” disclosed in Kambe, Allen or Gabower due to there is only one single layer structure.**

(2) The feature that

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"the other emitted electromagnetic waves will be cancelled by the permeability films 104, or be reflected in any one of the polymer films 100"
disclosed above can not be achieved in the "single layer structure" disclosed in Kambe, Allen or Gabower due to there is only one single layer structure.

Therefore, there are some superior and unexpected benefit of the "multi-film stacking structure" of claim 1 that can not be deduced from the "single layer structure" disclosed in Kambe, Allen or Gabower. Accordingly, the "multi-film stacking structure" of claim 1 is not anticipated or is not made to be obvious by the "single layer structure" disclosed in Kambe, Allen or Gabower.

Thus, Kambe, Allen or Gabower, let alone or combined thereof, does not anticipate the amended or the original claim 1 or make claim 1 obvious.

Additionally, and notwithstanding the foregoing reasons for the allowability of claim 1, these dependent claims recite elements/features/steps and/or combinations of elements/features/steps (as is apparent by examination of the claims themselves) that are patentably distinct from the prior art of record. Hence, there are other reasons why these dependent claims are allowable.

Dependent claim 4 is allowable for at least the reasons that Kambe, Allen or Gabower does not disclose, teach or suggest the feature that "the metal film comprises an alloy film."

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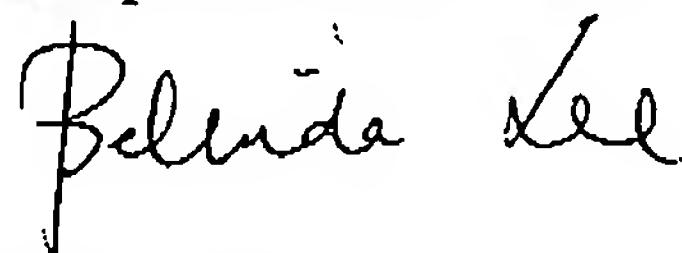
In addition, dependent claim 10 is allowable for at least the reasons that Kambe, Allen or Gabower does not disclose, teach or suggest the feature that "the polymer films comprise a film having a far-infrared ceramic."

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CONCLUSION

First of all, claim 8 is incorporated into claim 1 and thus the amended claim 1 and its dependent claims 2-7 and 10 are allowable. In addition, for at least the foregoing reasons, it is believed that the original claims 1-7 and 10 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,



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